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# United States Department of Agriculture

FOOD AND DRUG ADMINISTRATION

U. S. Department of Agriculture

## SERVICE AND REGULATORY ANNOUNCEMENTS

Food and Drug No. 4<sup>1</sup>

(Third Revision)

### AMENDMENT OF JULY 8, 1930, TO FEDERAL FOOD AND DRUGS ACT AND REQUIREMENTS THEREUNDER

Under the authority conferred by the amendment of July 8, 1930, to the Federal Food and Drugs Act (sec. 8, par. 5, in the case of food), there are hereby promulgated, to become effective 90 days from date, the following: The forms of statements which must appear on canned food which falls below the standards now or hereafter promulgated, the standards for canned peaches, canned pears, canned apricots, canned cherries, canned tomatoes, canned peas, and canned dry peas, and the standard fill of container for canned foods. These supersede on the effective date all forms of statements and standards which have been previously promulgated.

R. G. TUGWELL,  
Acting Secretary of Agriculture.

WASHINGTON, D. C., April 25, 1935.

### TEXT OF THE AMENDMENT TO FEDERAL FOOD AND DRUGS ACT OF JULY 8, 1930

(Sec. 8 of Food and Drugs Act, par. 5 in the case of food)

AN ACT To amend section 8 of the Act entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein and for other purposes", approved June 30, 1906, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8 of the Act of June 30, 1906, entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", as amended, is amended by adding at the end thereof the following:

"Fifth. If it be canned food and falls below the standard of quality, condition, and/or fill of container, promulgated by the Secretary of Agriculture for such canned food and its package or label does not bear a plain and conspicuous statement prescribed by the Secretary of Agriculture indicating that such canned food falls below such standard. For the purposes of this paragraph the words canned food mean all food which is in hermetically sealed containers and is sterilized by heat, except meat and meat food products which are subject to the provisions of the Meat Inspection Act of March 4, 1907 (Thirty-fourth Statutes, page 1260), as amended, and except canned milk; the word class means and is limited to a generic product for which a standard is to be established and does not mean a grade, variety, or species of a generic product. The Secretary of Agriculture is authorized to determine, establish, and promulgate, from time to time, a reasonable standard of quality, condition, and/or fill of container for each class of canned food as will, in his judgment, promote honesty and fair dealing in the interest of the consumer; and he is authorized to alter or modify such standard from time to time as, in his judgment, honesty and fair dealing in the interest of the consumer may require. The Secretary of Agriculture is further authorized to prescribe and promulgate from time to time the form of statement which must appear in a plain and conspicuous manner on each package or label of canned food which falls below the standard promulgated by him, and which will indicate that such canned food falls below such standard, and he is authorized to alter or modify

<sup>1</sup> Standards for other canned foods and other announcements issued hereafter under the authority of the amendment will appear as revisions of, or supplements to, the series of publications known as "Service and Regulatory Announcements, Food and Drug No. 4."

such form of statement, from time to time, as in his judgment may be necessary. In promulgating such standards and forms of statements and any alteration or modification thereof, the Secretary of Agriculture shall specify the date or dates when such standards shall become effective, or after which such statements shall be used, and shall give public notice not less than ninety days in advance of the date or dates on which such standards shall become effective or such statements shall be used. Nothing in this paragraph shall be construed to authorize the manufacture, sale, shipment, or transportation of adulterated or misbranded foods."

Approved, July 8, 1930.

## GENERAL FORM OF STATEMENT REQUIRED ON CANNED FOODS<sup>2</sup> OF SUBSTANDARD QUALITY

1. Canned foods which fall below the standards for the various classes of food products which shall be promulgated from time to time shall, unless otherwise provided, bear the name of the article and immediately above or below and parallel therewith, wherever such name appears, a legend in the following form: A rectangular box with solid border not less than 6 points in width, containing as a first line the statement "Below U. S. Standard", and also containing in subsequent line or lines such explanatory statement or statements as may be prescribed under each applicable standard. Border and type shall be on a strongly contrasting, uniform background. Type shall be Cheltenham bold condensed caps, and for containers under 1-pound net weight the first line 12 point, subsequent lines 8 point; for larger containers the first line 14 point, subsequent lines 10 point. The space between the border and the type, and between the lines, shall be not less than the type size of the first line, and the length of the first line shall be not less than 2 inches.

### EXAMPLES OF THE REQUIRED GENERAL FORM OF SUBSTANDARD STATEMENT

#### 2. For Containers Under 1 Pound Net Weight

Name of product: Any plain and conspicuous type.

First line of legend: 12-point Cheltenham bold condensed caps.

Length of first line: Not less than 2 inches.

Second line (explanatory statement) of legend: 8-point Cheltenham bold condensed caps.

Width of border: Not less than 6 points.

Space between type and all sides of border; and between lines: Not less than type face of first line.

## CHERRIES

**BELOW U. S. STANDARD**

**GOOD FOOD—NOT HIGH GRADE**

#### For Containers 1 Pound or Over Net Weight

Name of product: Any plain and conspicuous type.

First line of legend: 14-point Cheltenham bold condensed caps.

Length of first line: Not less than 2 inches.

Second line (explanatory statement) of legend: 10-point Cheltenham bold condensed caps.

Width of border: Not less than 6 points.

Space between type and all sides of border; and between lines: Not less than type face of first line.

<sup>2</sup> The expression "canned foods" is used in this circular as defined in the Food and Drugs Act, sec. 8, par. 5, in the case of food.



# PEAS

**BELOW U. S. STANDARD**

**LOW QUALITY BUT NOT ILLEGAL**

## SPECIAL FORMS OF STATEMENTS

3. When special statements are provided under the several standards such statements shall, in each case, be printed on a strongly contrasting, uniform background, in caps of a size not less than those specified below. Wherever the name of the article appears in any place on the label or package it must be accompanied by the appropriate special statement.

For packages under 1-pound net weight, 12-point boldface.

For packages of 1-pound net weight or over, 14-point boldface.

## PICTORIAL REPRESENTATIONS

4. If a picture of the article is used on any part of the label, the appropriate substandard or special statement shall appear immediately above or below such picture.

## WARNING

5. The amendment provides that "nothing in this paragraph shall be construed to authorize the manufacture, sale, shipment, or transportation of adulterated or misbranded foods." Accordingly, products which are adulterated or misbranded under any of the other paragraphs of the Food and Drugs Act cannot be rendered legal by the employment of any of the substandard statements.

## GENERAL STANDARD REQUIREMENTS FOR FILL OF CONTAINER FOR ALL CANNED FOODS

6. Canned food is of standard fill when neither the head space nor the amount of water, brine, sugar solution, or other packing medium is excessive.

## MEANING OF TERMS

7. "Head space" is the distance from the bottom of the cover to the highest point of the product. It is "excessive" in the various classes of canned foods described in paragraph 8, if, when determined by the methods therein described, it exceeds 10 percent of the inside height of the container: *Provided*, That no head space shall be considered excessive which does not exceed one-fourth inch: *And provided further*, That head space in products within class B shall not be considered excessive when it is less than one and one-half times the average thickness of the units, thickness being defined as the greatest height of any portion of the unit when resting on a horizontal surface in the position of greatest stability.

8. Methods of measuring head space in the various classes of canned foods are as follows:

*Class A.*—Head space determined by direct measurement immediately after opening container. This class comprises (1) canned foods which, when the contents of the container are drained for 2 minutes or an 8-mesh sieve, leave less than 90 percent of the total net contents on the sieve, and (2) canned foods which contain little or no free liquid but which consist of a practically homogeneous mass so that there is little or no change in the apparent volume of the mass when it is poured from the container and poured back.

*Class B.*—Head space determined by measurement after pouring the contents from the container (breaking apart lumps if necessary), pouring them



back, and leveling the surface as well as possible without moving the container or pressing downward on the contents. This class comprises canned foods which, when the contents of the container are drained for 2 minutes on an 8-mesh sieve, leave more than 90 percent of the total net contents on the sieve; and which consist of distinct units, so that there is an apparent increase in volume when the product is poured from the container and returned thereto.

9. In the absence of specific requirements, packing medium is "excessive" when the amount used exceeds that necessary for proper processing without impairment of quality. Packing medium above the amount permitted by the various standards which are herewith or shall in the future be promulgated shall be deemed excessive.

## GENERAL FORM OF STATEMENT REQUIRED ON CANNED FOODS OF SUBSTANDARD FILL

10. Canned foods which fail to meet the above standard shall bear the substandard statement, in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard." The explanatory statement shall be:

(1) In the case of excess head space only:

"Slack Fill"

(2) In the case of excess packing medium, whether or not the head space is excessive, the two-line statement:

"Slack Fill  
Contains Excess Added Liquid"

## CANNED PEACHES

### STANDARD OF QUALITY AND CONDITION

11. Standard canned peaches are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, tender, peeled, mature, unblemished, pitted, unbroken halves of the fruit of the peach tree, and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 14° Brix (read at the proper temperature for the instrument used).

### MEANING OF TERMS

12. The term "normally colored", as it relates to the fruit, means a naturally developed general effect of yellow.

13. Units of three-fifths of an ounce or larger are "normal sized."

14. The units are "uniform sized" if the weight of the piece of largest size in the can be not more than 80 percent in excess of the weight of the smallest piece in the can.

15. The fruit is "tender" when not less than 90 percent of the units by count are completely perforated by a cylindrical rod, five thirty-seconds of an inch in diameter, under a load of 300 grams (approximately 10.6 ounces), applied vertically to the exposed, peeled surface of a test piece carefully fitted into an appropriate holder. In performing this test the rod is placed on the exposed surface under an initial load of 100 grams and the load increased at a uniform, continuous rate of 12 grams per second until the piece is perforated. (A convenient method of obtaining the test piece is as follows: Using a cylinder of approximately 1½-inch diameter, made of sheet metal approximately one thirty-second of an inch thick, cut a core from the fruit completely through from the inner surface to the peeled surface, so that the peeled surface is exposed when the cylinder retaining this core is firmly supported on a horizontal smooth plate.) The fruit shall not, however, be so soft that the pieces in the can lose their natural shape when the container is opened and the product is carefully removed to a dish.

16. The fruit is "peeled" if there is present per pound of net contents not more than 1 square inch of peel.

17. The fruit is "unblemished" if 80 percent or more of the pieces in the container are free from unsightly scabs, bruises, frostbites, sunburn, hail injury,



raggedness, green or brown colorations, red or dark-streaked flesh, or other unsightly blemishes. The term "raggedness" means a frayed condition of the edges.

18. The fruit is in "unbroken halves" when 90 percent or more of the units are unbroken and do not show excessive trimming, except that the presence of one broken unit against the cover, which may have been broken by the operation of closing the can, shall be disregarded. "Excessive trimming" is defined as that amount which destroys the normal shape of the half.

#### SUBSTANDARD QUALITY STATEMENT

19. Canned peaches which fail to meet the above standard shall, except as provided in sections (a) to (f), inclusive, bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement "Good Food — Not High Grade."

(a) When canned peaches fail to meet the above standard only in that they consist of peaches packed in water, they shall bear a special statement<sup>3</sup> showing that fact, such as "Water pack peaches."

(b) When canned peaches fail to meet the above standard in that they consist of peeled, whole peaches, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement<sup>3</sup> "Whole peaches."

(c) When canned peaches fail to meet the above standard in that they consist of uniformly quartered peaches, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement<sup>3</sup> "Quartered peaches."

(d) When canned peaches fail to meet the above standard in that they consist of uniformly sliced peaches, otherwise meeting the standard in all respects except that the minimum size of each unit may be one-twelfth of an ounce, they shall bear the special statement<sup>3</sup> "Sliced peaches." In determining tenderness in sliced peaches, when the units are not sufficiently large to admit the obtaining of a test piece in the manner above prescribed, a V-shaped metal trough, 1 inch long, three-fourths of an inch wide, and three-fourths of an inch deep, with vertical ends, is a convenient holder.

(e) When canned peaches fail to meet the above standard only in that they are white in color, they shall bear the special statement<sup>3</sup> "White peaches."

(f) When canned peaches fail to meet the above standard only because of raggedness but are of a type where raggedness is a normal characteristic, for example, freestone peaches, they shall bear a special statement<sup>3</sup> showing the particular type to which they belong, e. g., "Freestone peaches."

#### STANDARD REQUIREMENT FOR FILL OF CONTAINER

20. Canned peaches are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

#### SUBSTANDARD FILL STATEMENT

21. Canned peaches which contain a lesser proportion of fruit than required by the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

### CANNED PEARS

#### STANDARD OF QUALITY AND CONDITION

22. Standard canned pears are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, tender, peeled, mature, unblemished, unbroken halves of the fruit of the pear tree, from which the calyx end and seed cells have been removed, with or without

<sup>3</sup> For required form and manner, see par. 3.



removal of the internal stem, and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 13° Brix (read at the proper temperature for the instrument used).

#### MEANING OF TERMS

23. The term "normally colored", as it relates to the fruit, means a naturally developed, translucent, yellowish-white color.

24. Units of three-fourths of an ounce or larger are "normal sized."

25. The units are "uniform sized" if the weight of the piece of largest size in the can be not more than 80 percent in excess of the weight of the smallest piece in the can.

26. The fruit is "tender" when not less than 90 percent of the units by count are completely perforated by a cylindrical rod, five thirty-seconds of an inch in diameter, under a load of 300 grams (approximately 10.6 ounces), applied vertically to the exposed, peeled surface of a test piece carefully fitted into an appropriate holder. In performing this test the rod is placed on the exposed surface under an initial load of 100 grams and the load increased at a uniform, continuous rate of 12 grams per second until the piece is perforated. (A convenient method of obtaining the test piece is as follows: Using a cylinder of approximately  $1\frac{1}{8}$  inches diameter, made of sheet metal approximately one thirty-second of an inch thick, cut a core from the fruit completely through from the inner surface to the peeled surface so that the peeled surface is exposed when the cylinder retaining this core is firmly supported on a horizontal, smooth plate.) The fruit shall not, however, be so soft that the pieces in the can lose their natural shape when the container is opened and the product is carefully removed to a dish.

27. The fruit is "peeled" if there is present per pound of net contents not more than 1 square inch of peel.

28. The fruit is "unblemished" if 80 percent or more of the pieces in the container are free from unsightly scabs, bruises, gritty portions, raggedness, pink or brown colorations, or other unsightly blemishes. The term "raggedness" means a frayed condition of the edges.

29. The fruit is in "unbroken halves" when 90 percent or more of the units are unbroken and do not show excessive trimming, except that the presence of one broken unit against the cover, which may have been broken by the operation of closing the can, shall be disregarded. "Excessive trimming" is defined as that amount which destroys the normal shape of the half.

#### SUBSTANDARD QUALITY STATEMENT

30. Canned pears which fail to meet the above standard shall, except as provided in sections (a) to (d), inclusive, bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement "Good Food — Not High Grade."

(a) When canned pears fail to meet the above standard only in that they consist of pears packed in water, they shall bear a special statement<sup>4</sup> showing that fact, such as "Water-pack pears."

(b) When canned pears fail to meet the above standard in that they consist of peeled, whole pears, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement<sup>4</sup> "Whole pears."

(c) When canned pears fail to meet the above standard in that they consist of uniformly quartered pears, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement<sup>4</sup> "Quartered pears."

(d) When canned pears fail to meet the above standard only because of the presence of gritty portions but are of a type where gritty portions are a normal characteristic, such as Kieffer pears, they shall bear a special statement<sup>4</sup> showing the particular type to which they belong, e. g., "Kieffer pears."

#### STANDARD REQUIREMENT FOR FILL OF CONTAINER

31. Canned pears are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight

<sup>4</sup>For required form and manner, see par. 3.



of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

#### SUBSTANDARD FILL STATEMENT

32. Canned pears which contain a lesser proportion of fruit than required by the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

### CANNED APRICOTS

#### STANDARD OF QUALITY AND CONDITION

33. Standard canned apricots are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, tender, unpeeled, mature, unblemished, pitted, unbroken halves of the fruit of the apricot tree, and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 16° Brix (read at the proper temperature for the instrument used).

#### MEANING OF TERMS

34. The term "normally colored", as it relates to the fruit, means a naturally developed general effect of yellow.

35. Units of three-eighths of an ounce or larger are "normal sized."

36. The units are "uniform sized" if the weight of the piece of largest size in the can be not more than 80 percent in excess of the weight of the smallest piece in the can.

37. The fruit is "tender" when the flesh of not less than 90 percent of the units by count is completely perforated by a cylindrical rod, three-sixteenths of an inch in diameter, under a load of 300 grams (approximately 10.6 ounces), applied vertically to the exposed, peeled surface of a test piece carefully placed on an appropriate support. In performing this test the rod is placed on the exposed surface under an initial load of 100 grams and the load increased at a uniform, continuous rate of 12 grams per second until the piece is perforated. (The test piece is conveniently supported on a rigid, convex surface of such curvature as to fit into the seed cavity and permit it to maintain its normal shape. The peel is conveniently removed with pointed, sharp scissors.) The fruit shall not, however, be so soft that the pieces in the can lose their natural shape when the container is opened and the product is carefully removed to a dish.

38. The fruit is "unblemished" if 80 percent or more of the pieces in the container are free from unsightly scabs, bruises, frostbites, sunburn, hail injury, green or brown colorations, or other unsightly blemishes.

39. The fruit is in "unbroken halves" when 90 percent or more of the units are unbroken and do not show excessive trimming, except that the presence of one broken unit against the cover, which may have been broken by the operation of closing the can, shall be disregarded. "Excessive trimming" is defined as that amount which destroys the normal shape of the half.

#### SUBSTANDARD QUALITY STATEMENT

40. Canned apricots which fail to meet the above standard shall, except as provided in sections (a) to (d), inclusive, bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement "Good Food—Not High Grade."

(a) When canned apricots fail to meet the above standard only in that they consist of apricots packed in water, they shall bear a special statement<sup>5</sup> showing that fact, such as "Water-pack apricots."

(b) When canned apricots fail to meet the above standard only in that the halves are peeled, they shall bear the special statement<sup>5</sup> "Peeled apricots."

(c) When canned apricots fail to meet the above standard in that they consist of unpeeled, whole apricots, otherwise meeting the standard in all respects except that they may not meet the requirement for normal size, they shall bear the special statement<sup>5</sup> "Whole apricots."

<sup>5</sup> For required form and manner, see par. 3.

(d) When canned apricots fail to meet the above standard in that they consist of uniformly sliced, peeled apricots, otherwise meeting the standard in all respects except that the minimum size of each unit may be one-twentieth of an ounce, they shall bear the special statement<sup>6</sup> "Sliced, peeled apricots."

#### STANDARD REQUIREMENT FOR FILL OF CONTAINER

41. Canned apricots are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

#### SUBSTANDARD FILL STATEMENT

42. Canned apricots which contain a lesser proportion of fruit than required by the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

### CANNED CHERRIES

#### STANDARD OF QUALITY AND CONDITION

43. Standard canned cherries are the normally flavored and normally colored canned food consisting of (1) the normal sized, uniform sized, fleshy, mature, unblemished, stemmed, whole fruit of the cherry tree, and (2) sugar solution of sufficient strength so that the liquid portion of the finished product reads not less than 16° Brix (read at the proper temperature for the instrument used).

#### MEANING OF TERMS

44. The fruit is "normally colored", if the naturally developed general color of the flesh be yellowish white.

45. Units of one-tenth of an ounce or larger are "normal sized."

46. The units are "uniform sized" if the weight of the piece of largest size in the can be not more than 80 percent in excess of the weight of the smallest piece in the can.

47. The fruit is "fleshy" if the skin and flesh of the drained cherries are 88 percent or more of their total weight.

48. The fruit is "unblemished" if 80 percent or more of the units in the container are free from unsightly scabs, excessive healed cracks, or other unsightly blemishes. Cracks are "excessive" when their total combined length and width exceeds one-half of an inch, excluding checks less than one-eighth of an inch wide located in the stem depression and concentric with its sides. Unhealed cracks which form during cooking are not blemishes.

#### SUBSTANDARD QUALITY STATEMENT

49. Canned cherries which fail to meet the above standard shall, except as provided in sections (b) to (d), inclusive, bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement "Good Food—Not High Grade."

(a) Canned cherries from which only a portion of the pits have been removed, so that there is present more than one cherry pit, or its equivalent in broken pieces of shell, per each 10 ounces of net contents, shall bear the above statement and also the special statement<sup>6</sup> "Partially pitted cherries."

(b) When canned cherries fail to meet the above standard only in that they consist of cherries packed in water, they shall bear a special statement<sup>6</sup> showing that fact, such as "Water-pack cherries."

(c) When canned cherries fail to meet the above standard in that they consist of pitted whole cherries, otherwise meeting the standard, except that they may not meet the requirements for normal and uniform size, they shall bear the special statement<sup>6</sup> "Pitted cherries."

<sup>6</sup> For required form and manner, see par. 3.



(d) When canned cherries fail to meet the above standard only because of color but are of a type where the flesh is of some color other than yellowish white, as red sour cherries, Bing cherries, black cherries, etc., they shall bear a special statement<sup>7</sup> showing the type to which they belong.

#### STANDARD REQUIREMENT FOR FILL OF CONTAINER

50. Canned cherries are of standard fill with respect to packing medium when the weight of fruit placed in the container is 60 percent or more of the weight of water which the sealed container will hold at 68° F., with, when necessary to prevent crushing of the fruit, a tolerance not exceeding the weight of one average piece.

#### SUBSTANDARD FILL STATEMENT

51. Canned cherries which contain a lesser proportion of fruit than required by the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

### CANNED TOMATOES

#### STANDARD OF QUALITY AND CONDITION

52. Standard canned tomatoes are the normally flavored and normally colored canned food consisting of the peeled, cored, and trimmed whole, or large pieces of, mature red fruit of the tomato vine (*Lycopersicon esculentum*), with or without tomato juice to fill the interstices, and with or without added seasoning (sugar, salt).

#### MEANING OF TERMS

53. The fruit consists of "whole or large pieces" when at least 50 percent of the total contents in the container are retained after draining for 2 minutes on a sieve<sup>8</sup> having two meshes to the inch. On containers of less than 3 pounds net weight, sieves 8 inches in diameter are used. On containers of 3 pounds net weight or more, sieves 12 inches in diameter are used.

54. The term "normally colored" means a naturally developed red, such that the color of a 1-inch layer of the homogeneous mixture made by pulping the least red-colored half, by weight, of the drained meats, fulfills the following requirements in terms of the combination of spinning Munsell color disks given below:

- (1) 5R 2.6/13 (glossy finish).
- (2) 2.5YR 5/12 (glossy finish).
- (3) N 1/ (glossy finish).
- (4) N 4/ (mat finish).

If the color, when viewed in full daylight or its equivalent, is matched by such a combination in which the exposed area of disk (1) covers one-third or more of the circle, and the exposed area of disk (2) does not exceed that of (1), the sample meets the minimum color requirement, regardless of the exposed area of disks (3) and (4). In performing this test the poorer colored portions of the material retained on the 2-mesh sieve are selected until an amount equaling half of the drained weights is obtained. This material is pulped and freed from air bubbles. It is then placed in a black container and visible seeds are removed by skimming or pressing below the surface. In making selections, pieces may be cut, if necessary, to separate the poorer colored portions.

55. The fruit is "peeled" when there are not more than 3 square inches of peel per pound of net contents in any one container, provided that the average amount of peel per pound of net contents of the lot does not exceed 1 square inch.

56. The fruit is "trimmed" when the maximum cross-sectional area of all unsightly blemishes does not exceed one-fourth square inch per pound of net contents in the container.

#### SUBSTANDARD QUALITY STATEMENT

57. Canned tomatoes which fail to meet the above standard shall, except as provided in section (a), bear the substandard statement in the form and

<sup>7</sup> For required form and manner, see Par. 3.

<sup>8</sup> Wire of a uniform diameter, not less than 0.04 nor more than 0.07 inch.

manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement "Low Quality But Not Illegal."

(a) When canned tomatoes fail to meet the above standard only in that they contain added tomato products, they shall bear the appropriate special statement<sup>9</sup> to show that fact, for example, "Tomatoes with puree from trimmings."

#### STANDARD REQUIREMENT FOR FILL OF CONTAINER

58. Canned tomatoes are of standard fill with respect to packing medium when the amount of tomato juice added does not exceed that which drains from the peeled, cored, and trimmed tomatoes present in the can, or its equivalent in the drained juice of other peeled, cored, and trimmed tomatoes: *Provided*, That when peeled and cored whole tomatoes are packed and processed in such a manner as to retain the tomatoes in a practically whole condition when opened, the packing medium is not considered excessive when there is added the juice of other peeled, cored, and trimmed tomatoes in amount not exceeding that necessary to fill the interstices.

#### SUBSTANDARD FILL STATEMENT

59. Canned tomatoes which fail to meet the above requirement shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

### CANNED PEAS

#### STANDARD OF QUALITY AND CONDITION

60. Standard canned peas are the normally flavored and normally colored canned food consisting of the tender, immature, unbroken seed of the common or garden pea (*Pisum sativum*), with or without seasoning (sugar, salt), and with or without added potable water. The product is practically free from foreign material and, in the case of products containing added liquid, the liquor present is reasonably clear.

#### MEANING OF TERMS

61. The term "normally colored", as it relates to the peas, means a naturally developed general effect of green, except that not to exceed 4 percent by count of off-colored peas, such as brown, brown-spotted, white, or yellowish-white peas may be present.

62. The peas are "tender" if 90 percent or more by count are sufficiently soft so that either cotyledon is crushed by a weight of less than 907.2 grams (2 pounds) by the following method: Remove the skin of the pea and place one cotyledon on its flat surface on a horizontal, smooth plate. By means of a second horizontal, smooth plate apply vertically an initial load of 100 grams, and increase the load at a uniform, continuous rate of 12 grams per second until the cotyledon is compressed to one-fourth its original thickness.

63. The peas are "immature" if the water-insoluble solids in the drained peas do not exceed 22 percent and if less than 25 percent of the peas by count are swollen to such an extent as to rupture the skin sufficiently to separate the broken edges one-sixteenth inch or more.

64. In determining "water-insoluble solids" for the purposes of paragraph 63, the following method shall be used: The peas are spread on an 8-mesh screen, using an 8-inch screen for containers of less than 3 pounds net weight and a 12-inch screen for larger containers. After draining for 15 to 20 seconds, the brine is poured back over the peas in such a manner as to rinse off adhering material and the draining continued for a total of 2 minutes. The drained peas are finely ground through a food chopper and well mixed. Five to ten grams of the accurately weighed material is mixed with water in a tared, flat-bottom dish containing dry sand. The dish is placed on the steam bath and the contents evaporated to apparent dryness. The dish is then placed in a drying oven, either at atmospheric pressure at a temperature of boiling water or in vacuo at 70° C., and dried to a point where 1 hour's further drying causes a loss of less than 5 milligrams. The result is reported as percentage of total solids. To determine the water-soluble solids, 75 grams of the ground material is boiled for 1 hour with 300 to 400 cubic centimeters of water, transferred

<sup>9</sup> For required form and manner, see par. 3.



to a 500-cubic-centimeter volumetric flask, cooled, and made up to volume. The solution is filtered, centrifuging if necessary. The percentage of soluble solids is determined as above, using a 100-cubic-centimeter aliquot. The difference between the water-soluble and total solids is reported as water-insoluble solids.

65. The pea seed is "unbroken" if 80 percent or more of the units by count are in such a condition that the two cotyledons are still held together by the skin, even though the cotyledons may be cracked or partially crushed, or the skin split. Each major portion of a skin or cotyledon not included in the above definition is counted as a broken pea.

66. The peas are "practically free from foreign material" when they are entirely free from material which varies greatly in size or specific gravity from peas, such as stones, large pieces of pea shell, sticks; and when they contain per each 2 ounces of net contents not more than one piece of material which closely approximates peas in size and specific gravity, such as thistle buds, daisy heads, portions of radish-seed pods. The difficulty of absolute freedom from the latter class of foreign material occasionally renders its complete exclusion impracticable.

67. The liquor is "reasonably clear" when it is not badly clouded and does not contain considerable sediment.

#### SUBSTANDARD QUALITY STATEMENT

68. Canned peas which fail to meet the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement, except as provided in section (a), "Low Quality But Not Illegal."

(a) When canned peas fail to meet the above standard only in that they are artificially colored, the explanatory statement shall be "Because artificially colored."

#### STANDARD REQUIREMENT FOR FILL OF CONTAINER

69. Canned peas are of standard fill with respect to packing medium when the proportion of free liquid in the product is such that when the contents of the container are poured out and poured back into the container standing on a level surface, and the peas leveled without downward pressure, the liquid does not completely cover the peas after being allowed to stand for 15 seconds: *Provided*, That when the declared net weight is sufficient to fill the container to 90 percent or more of its capacity, liquid in excess of such declared net weight shall be removed before making the test.

#### SUBSTANDARD FILL STATEMENT

70. Canned peas which fail to meet the above requirement shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

### CANNED DRY PEAS

#### STANDARD OF QUALITY AND CONDITION

71. Standard canned dry peas are the normally flavored and normally colored canned food consisting of the thoroughly cooked, mature, unbroken seed of the common or garden pea (*Pisum sativum*), with or without seasoning (sugar, salt), and with added potable water. The product is practically free from foreign material.

#### MEANING OF TERM

72. Canned dry peas are "normally colored" when they possess the natural color of the product, except that not to exceed 4 percent by count of off-colored peas, such as brown, brown-spotted, white, or yellowish-white peas may be present.

73. The seed is "thoroughly cooked" if 90 percent or more by count are sufficiently soft so that either cotyledon is crushed by a weight of less than 907.2 grams (2 pounds) by the following method: Remove the skin of the pea and place one cotyledon on its flat surface on a horizontal, smooth plate. By means of a second horizontal, smooth plate apply vertically an initial load of 100 grams and increase the load at a uniform, continuous rate of 12 grams per second until the cotyledon is compressed to one-fourth its original thickness.

74. The seed is "unbroken" if 80 percent or more of the units by count are in such a condition that the two cotyledons are still held together by the skin, even though the cotyledons may be cracked or partially crushed, or the skin split.

75. The product is "practically free from foreign material" if it is entirely free from stones, and if there is present per pound of net contents not more than one piece of nonstony material any dimension of which is less than twice the thickness of a pea.

#### **SUBSTANDARD QUALITY STATEMENT**

76. Canned dry peas which fail to meet the above standard shall bear the substandard statement in the form and manner prescribed in paragraph 1. The first line of the legend shall be "Below U. S. Standard", the explanatory statement "Low Quality But Not Illegal."

#### **STANDARD REQUIREMENT FOR FILL OF CONTAINER**

77. Canned dry peas are of standard fill with respect to packing medium when the proportion of free liquid in the product is such that when the contents of the container are poured out and poured back into the container standing on a level surface, and the cooked dry peas leveled without downward pressure, the liquid does not completely cover the cooked dry peas after being allowed to stand for 15 seconds: *Provided*, That when the declared net weight is sufficient to fill the container to 90 percent or more of its capacity, liquid in excess of such declared net weight shall be removed before making the test.

#### **SUBSTANDARD FILL STATEMENT**

78. Canned dry peas which fail to meet the above requirement shall bear the substandard statement in the form and manner prescribed in paragraph 10 (2).

#### **NOTE ON LABELING OF STANDARD CANNED DRY PEAS**

79. Because of the decision of the Federal courts that canned dry peas are a different generic product from canned immature peas, the revised labeling requirements, under the general terms of the Food and Drugs Act, for standard canned dry peas are given below for the convenience of the canning trade:

To differentiate canned dry peas clearly from canned immature peas the product must be labeled with the expression "Dry peas." If desired, the expression may be qualified by some descriptive term, such as "soaked" or "cooked." The expression "Dry peas" must be prominently displayed in letters of equal size and prominence, of the same color, and on a strongly contrasting, uniform-colored background. Further, the words must not be separated by intervening printed or pictorial matter and the expression must be so centered that the word "dry" will be as clearly seen as the word "peas." In addition, wherever the word "peas" appears on the label, it must be directly accompanied by the word "dry" in the manner and form above specified. No pictorial design or device indicating that the peas are immature should be used. If a pictorial design showing peas is used, the color of such peas must not be of a shade of green deeper than that of dry peas before soaking.





